

Major issues confront lawmakers on their return to Olympia

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Education is the biggest issue facing lawmakers this session, but other big issues include addressing federal ID requirements, the early release of prisoners, and whether to impeach the state auditor.

By [The Associated Press](#)

OLYMPIA — Lawmakers return to the Capitol on Monday with hopes of finishing this year's 60-day legislative session on time, not wanting a repeat of last year's triple overtime marathon session. But they arrive still under a contempt order, a \$100,000-a-day sanction by the state Supreme Court, and uncertainty over whether the court will be satisfied with their efforts to find a solution to the state's education-funding problem.

Because of that, education is certain to be at the forefront of lawmakers' deliberations, although they have several other issues they will try to tackle in the coming months, too.

Some of the main issues are:

- **Education funding:** The state has been in an impasse with the state Supreme Court, which in 2012 ruled that the state is failing to meet its constitutional duty to cover the cost of basic education for its one million schoolchildren. The lawsuit was brought by a coalition of school districts, parents, teachers and education groups. It's known as the McCleary case for the family named in the lawsuit. The court ultimately found the state in contempt for its lack of progress, and in August ordered the sanctions. The fines, now at nearly \$15 million, are to be allocated to a special education account. Gov. Jay Inslee convened a work group to address the issue, which unveiled its plan Friday. The bill establishes a new task force to continue the work of the bipartisan group of lawmakers and seeks data from districts on how they use local levies. The proposal commits to addressing overreliance on levies in 2017.

- Charter schools: In September, the state Supreme Court ruled that the state's voter-approved charter school law was unconstitutional. The high court said charter schools do not qualify as "common" schools under state constitution and cannot receive public funding. The handful of charter schools that had already opened have said they will continue through this school year and have been trying temporary fixes after losing state funding because of the court's decision. A few lawmakers have already filed two bills seeking to keep the schools open.

- Real ID: After being denied a final extension last year, lawmakers may try to grapple with how to comply with tougher federal requirements that require proof of legal U.S. residency if Washington state driver's licenses and IDs are to continue to be valid for federal purposes — including eventually, to board a commercial aircraft to fly domestically. A three-month grace period granted by the Department of Homeland Security in October expires this weekend. However, on Friday, the department announced that passengers in states not in compliance, including Washington, can continue using their current IDs to fly domestically until Jan. 22, 2018. The Real ID Act, approved by Congress in 2005, set minimum standards for licenses in response to security concerns after the attacks on Sept. 11, 2001. Washington state already offers, but does not mandate, enhanced driver's licenses and IDs that require proof of U.S. citizenship.

- Erroneous early release of prisoners: The state has been dealing with the fallout from a revelation that at least two deaths have been tied to the early release of as many as 3,200 prisoners since 2002 because of a software-coding error that miscalculated sentences. One senator has already announced a hearing before his committee Monday on the matter. The Department of Corrections was alerted to the error in December 2012, when a victim's family learned of a prisoner's imminent release. The family did its own calculations and found that the prisoner was being credited with too much time for good behavior. The mistake followed a 2002 state Supreme Court ruling requiring the Department of Corrections to apply good-behavior credits earned in county jail to state prison sentences. But the programming fix gave prisoners with sentencing enhancements too much "good time credit." Under state law, prisoners who get extra

time for sentencing enhancements cannot have it reduced for good behavior.

Corrections officials acknowledged that the software fix was delayed 16 times and ultimately was never done. A fix is expected next week. Two retired federal prosecutors are leading an investigation into the early releases.

- Impeachment of state auditor: A group of lawmakers is seeking to impeach state Auditor Troy Kelley, who was indicted last year on charges that include tax evasion, money laundering and possession of stolen property. Kelley, who had taken unpaid leave for seven months, returned to his office in December after a bipartisan group drafted an impeachment resolution saying Kelley had “willfully abandoned his statewide elective office.” The indictment against the 51-year-old Democrat is related to his previous operation of a real-estate-services company. Investigators say that, from 2006 to 2008, Kelley kept fees the company was supposed to refund to homeowners in an amount totaling at least \$3 million, and paid himself \$245,000 a year from the ill-gotten proceeds. Leadership in both chambers have said they are open to impeachment but want to be certain they don’t interfere with the federal trial.

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